

### **AMENDMENTS TO THE CLAIMS**

A complete marked-up listing of the claims, with status identifiers for each claim in parenthesis, is as follows:

1. (Previously Presented) A method for call recovery wherein a mobile terminal's transmit power is not controlled by a base station during call recovery, comprising:

transmitting a pilot strength measurement message from a mobile terminal at a first transmit power level determined by the mobile terminal;

waiting a predetermined time period during which call recovery is not completed; and

transmitting the pilot strength measurement message from the mobile terminal at a second transmit power level determined by the mobile terminal, wherein the second transmit power level is greater than the first transmit power level.

2. (Original) The method of claim 1 wherein the second transmit power level is a maximum transmit power level.

3. (Original) A computer program stored on a computer readable medium operative to perform the method of claim 1.

4. (Previously Presented) A method, comprising:

initiating a call recovery from a mobile terminal wherein the mobile terminal's transmit power is not controlled by a base station during call recovery;

transmitting a pilot strength measurement message from the mobile terminal at a first transmit power level determined by the mobile terminal, which first transmit power level is less than a maximum transmit power level; and

incrementing a transmit power level from the mobile terminal prior to receiving a hand-off direction message and completion of the call recovery.

5. (Original) The method of claim 4, further comprising:

transmitting a pilot strength measurement message at each transmit power level.

6. (Original) The method of claim 5, wherein the pilot strength measurement messages are transmitted at predetermined time intervals.

7. (Original) The method of claim 5, wherein the pilot strength measurement message includes a preamble.

8. (Previously Presented) A mobile terminal, comprising:

an antenna;

a processor coupled to the antenna;

transmit circuitry coupled to the antenna and processor; and

a first set of computer-readable instructions executable by the processor to increment transmit power of a pilot strength measurement message from the mobile terminal during call recovery wherein the mobile terminal's transmit power is not controlled by a base station;

further instructions to transmit a pilot strength measurement message from the mobile terminal at a first transmit power level determined by the mobile terminal;

after waiting the predetermined time period during which call recovery is not completed, further instructions to transmit the pilot strength measurement message from the mobile terminal at a second transmit power level determined by the mobile terminal, wherein the second transmit power level is greater than the first transmit power level.

9. (Previously Presented) The mobile terminal of claim 8, further comprising: a second set of computer readable instructions executable by the processor to maintain the transmit power below a maximum power level.

10. (Previously Presented) A computer-readable medium including instructions executable by a processor, the computer-readable medium comprising:

a first set of computer-readable instructions executable by the processor to transmit a pilot strength measurement message from a mobile terminal at a first transmit power level determined by the mobile terminal, the mobile terminal's transmit power not being controlled by a base station;

a second set of computer-readable instructions executable by the processor to increment the first transmit power level to a second transmit power level after waiting a given time period during which call recovery is not completed, the increment being determined by the mobile terminal; and

a third set of computer-readable instructions executable by the processor to transmit the pilot strength measurement message from the mobile terminal at the second transmit power level, the second transmit power level being greater than the first transmit power level.

11. (Previously Presented) The computer-readable medium of claim 10, further comprising:

a fourth set of computer-readable instructions executable by the processor to maintain the transmit power below a maximum power level.

12. (Previously Presented) The computer-readable medium of claim 10, wherein the second transmit power level is a maximum transmit power level.

13. (Previously Presented) The computer-readable medium of claim 10, wherein the pilot strength measurement message is transmitted at predetermined time intervals.

14. (Previously Presented) An apparatus for power level adjustment in a wireless communication system, comprising:

means to transmit a pilot strength measurement message from a mobile terminal at a first transmit power level determined by the mobile terminal, the mobile terminal's transmit power not being controlled by a base station;

means to increment the first transmit power level to a second transmit power level after waiting a given time period during which call recovery is not completed, the increment being determined by the mobile terminal; and

means to transmit the pilot strength measurement message from the mobile terminal at the second transmit power level, the second transmit power level being greater than the first transmit power level.

15. (Previously Presented) The apparatus of claim 14, further comprising:

means to maintain the transmit power below a maximum power level.

16. (Previously Presented) The apparatus of claim 14, wherein the second transmit power level is a maximum transmit power level.

17. (Previously Presented) The apparatus of claim 14, wherein the pilot strength measurement message is transmitted at predetermined time intervals.

18. (Previously Presented) An apparatus for power level adjustment in a wireless communication system, comprising:

a transmitter to transmit a pilot strength measurement message from a mobile terminal at a first transmit power level determined by the mobile terminal and to transmit the pilot strength measurement message from the mobile terminal at a second transmit power level determined by the mobile terminal, the mobile terminal's transmit power not being controlled by a base station; and

a power adjuster to increment the first transmit power level to the second transmit power level after waiting a given time period during which call recovery is not completed, the second transmit power level being greater than the first transmit power level.

19. (Previously Presented) The apparatus of claim 18, wherein the power adjuster maintains the transmit power below a maximum power level.

20. (Previously Presented) The apparatus of claim 18, wherein the second transmit power level is a maximum transmit power level.

21. (Previously Presented) The apparatus of claim 18, wherein the pilot strength measurement message is transmitted at predetermined time intervals.